

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 25–33 are in the present application. It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner and are in full compliance with the requirements of 35 U.S.C. § 112. These new claims, as presented herein, are not submitted for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these claims are submitted simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 25–33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yuen et al. (U.S. Patent 6,487,362) in view of Minoda et al. (U.S. Patent 5,521,766). However, in the present invention, “the additional index information recorded in the attached memory includes information of an automatically increased scene number.” (Claims 25, 28; Claim 31 contains a similar limitation) This feature is described in the specification at page 28, line 17 to page 29, line 14 as “the instructed information and the information of the automatically increased scene number are recorded in the option area 54 of the attached memory 16...” Neither Yuen nor Minoda discloses storing an automatically increased scene number in an attached memory as required in the claims of the present invention. Accordingly, for at least this reason, the combination of Yuen and Minoda fails to obviate the present invention and claims 25–33 should now be allowed.



PATENT
450104-4266

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

An extension of time fee is deemed to be required for the filing of this amendment. No additional fees are anticipated, but if such are required, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

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If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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